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P. W. DOONER.....EDITOR.

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OFFICIAL.

L A W S

OF THE

UNITED STATES

PASSED AT THE

FIRST SESSION OF THE FORTY-FIRST CONGRESS.

AN ACT making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes for the year ending June thirtieth, eighteen hundred and seventy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby appropriated, out of any money in the treasury not otherwise appropriated for the purpose of paying the current and contingent expenses of the Indian department and fulfilling treaty stipulations with the various Indian tribes:

CALIFORNIA.

For the purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians in California, sixty thousand dollars.

For pay of one physician, one blacksmith, one assistant blacksmith, one farmer, one carpenter, and one teacher upon each of the three reservations of California, and one miller at Round Valley, and one upon the Hoopa Valley reservations, and one special agent, one physician, and two teachers for the mission Indians of California, twenty two thousand dollars.

For this amount, or so much thereof as may be necessary to supply a deficiency in the appropriation for removing the Indians from Smith's River reservation to Hoopa Valley and Round Valley reservations in California, two thousand five hundred dollars.

For defraying the expense of removal and subsistence of Indians in Oregon not parties to any treaty, and for pay of necessary employees, twenty thousand dollars.

For defraying the expense of removal and subsistence of Indians in Washington Territory, not parties to any treaty, and for pay of necessary employees, fifteen thousand dollars.

To enable the Secretary of the Interior to take charge of certain stray bands of Pottawatomie and Winnebago Indians in the State of Wisconsin, five thousand dollars.

For salary of a special agent to take charge of Winnebago and Pottawatomie Indians now in the State of Wisconsin, one thousand five hundred dollars.

For payment of interest on one million two hundred and ninety-nine thousand three hundred dollars, non-paying stocks, held by the Secretary of the Interior in trust for various Indian tribes, up to and including the interest payable July first, eighteen hundred and sixty-nine, less two months [sevenths] of six per centum interest on seven hundred and ninety six thousand eight hundred dollars, Virginia stock, for the payment of which provision has been made, sixty-five thousand six hundred and eighteen dollars and fifty-seven cents, or so much thereof as may be necessary.

For payment of interest on fifteen thousand dollars, abstracted bonds, for the fiscal year ending June thirtieth, eighteen hundred and sixty-nine, for the Cherokee school fund, nine hundred dollars.

For payment of interest on sixty-eight thousand dollars, abstracted bonds, for the fiscal year ending June thirtieth, eighteen hundred and sixty-nine, of the Cherokee national fund,

four thousand and eighty dollars.

For insurance, transportation and necessary expenses of the delivery of annuities and provisions to the Indian tribes in Minnesota and Michigan, ten thousand dollars.

For insurance, transportation, and necessary expenses of the delivery to the Pawnee, Ponca, and Yankton Sioux Indians of annuity goods and provisions, eight thousand dollars.

For actual necessary expenses incurred, and that may hereafter be incurred, by officers of the Indian department in the rescue of prisoners from Indian tribes and returning them to their homes, and for expenses incident to the arrest and confinement within the territory of the United States, by order of such officers of persons charged with crimes against the Indians, five thousand dollars.

To pay expenses incurred in taking census of North Carolina Cherokee Indians, two thousand five hundred dollars.

For this amount, or so much thereof as may be necessary to re-establish the Shoshones, Bannocks and other strolling bands of Indians in the southern portion of Idaho Territory, and southeastern portion of Oregon, on the Fort Hall reservation, on Snake river, Idaho Territory, or on the Siletz or Klamath reservation in Oregon, as the Secretary of the Interior may determine, including the transportation of all necessary articles and the material and labor for the construction of the houses and mills and pay [of] necessary employees for one year, thirty thousand dollars.

For this amount, or so much thereof as may be necessary, to aid in subsisting said Indians for the first year after their settlement on said reservation or reservations, no part of which to be expended until said Indians shall be so established, and to be applied pro rata as said settlement shall be made, twenty-five thousand dollars: *Provided*, That none of the payments provided for in this act shall be made unless the Secretary of the Interior shall be satisfied that the tribes, bands, or individuals named have observed the treaty stipulations under which such payments have become due, and also the provisions of any other treaties with the government to which they may be parties; or in case portions of said tribes or bands have observed all of said obligations, payments shall be made to them pro rata.

To pay the expenses of two commissioners, under article treaty of February twenty-seventh, one thousand five hundred dollars, with the Ottawa Indians, two thousand five hundred dollars.

For this amount to pay for subsistence furnished to the Ponca Indians, by direction of the Indian peace commission, under a contract made with J. W. Bosler, eleven thousand nine hundred dollars and twenty-six cents.

For expenses incurred by M. Wilkinson, United States agent for the Arickarees, Gros Ventres, and Mandan Indians, under instructions from the Indian peace commission, to make said Indians, as far as possible, self-sustaining, twenty-eight thousand two hundred and seventy-six dollars and forty-seven cents.

For this amount, to supply a deficiency in the appropriation for pay of commissioner to be appointed by the President, as per forty-ninth and fiftieth articles treaty April twenty-eighth, eighteen hundred and sixty-six, and Senate amendment thereto, with the Choctaws and Chickasaws, fifteen hundred and thirty-eight dollars and forty-seven cents.

For this amount, interest due the Choctaws and Chickasaws, August eighth, eighteen hundred and sixty-eight, on three hundred thousand dollars held in trust for said Indians, under the third article treaty of April twenty-eighth, eighteen hundred and sixty-six, fifteen thousand dollars.

For this amount, or so much thereof as may be necessary to enable the Secretary of the Interior to pay unpaid vouchers audited and allowed by the Indian peace commission, twenty-two thousand five hundred dollars.

For this amount, to be reimbursed from the proceeds of their lands in Kansas, for subsistence of the Great and Little Osage Indians, thirty thousand dollars.

For this amount, or so much thereof as may be necessary to pay expenses incurred in making and preparing homes, furnishing provisions, tools and farming utensils, cattle, and furnishing food and transportation for bands of Indians with which treaties have been made by the Indian peace commission, under the supervision of brevet Major General W. S. Harney, incurred since October first, eighteen hundred and sixty-eight, four hundred and eighty-five thousand seven hundred and eighty-four dollars and twenty-one cents.

For the payment of [such] damages sustained by the citizens of Niobrara township, Nebraska, by the action of the government in moving the Santee Sioux upon their lands in the year eighteen hundred and sixty-six, as shall, [be found due,] after proper investigation under the direction of the Secretary of the Interior, who shall appoint a commission to ascertain and report the amount of the

damages sustained, not exceeding fifteen thousand dollars, to be divided pro rata in payment of the claims to be found due, which shall be a final settlement of said claims.

To supply deficiency of appropriation to pay for depredations committed by Indians in northwestern Iowa in the year eighteen hundred and fifty-seven, ten thousand nine hundred and six dollars and thirty-four cents.

SEC. 2. *And be it further enacted*, That all goods and merchandise furnished any tribe or band of Indians under the provisions of any act shall be turned over by the agent or superintendent of such tribe or band to the chiefs of the tribe or band in bulk and in the original package, as nearly as practicable, and in the presence of the headman of the tribe, if practicable, to be distributed to the tribe or band by the chiefs in such manner as the chiefs may deem best, in the presence of the agent or superintendent: *Provided*, That said chiefs have observed their treaty obligations with the government as hereinbefore stated.

SEC. 3. *And be it further enacted*, That the unexpended balance now standing to the credit of the Kansas tribe of Indians on the books of the Treasury Department, appropriated for or belonging to them for educational purpose, may be used under the direction of the superintendent of Indian affairs for the central superintendency in the purchase of such articles of food and clothing as may in his discretion be thought necessary to relieve the most pressing wants of said Indians; they being in a destitute and suffering condition.

SEC. 4. *And be it further enacted*, That there be appropriated the further sum of two millions of dollars, or so much thereof as may be necessary to enable the President to maintain the peace among and with the various tribes, bands, and parties of Indians, and to promote civilization among said Indians, bring them, where practicable, upon reservations, relieve their necessities, and encourage their efforts at self-support, a report of all expenditures under this appropriation to be made in detail to Congress in December next; and for the purpose of enabling the President to execute the powers conferred by this act he is hereby authorized, at his discretion, to organize a board of commissioners, to consist of not more than ten persons, to be elected by him from men eminent for their intelligence and philanthropy, to serve without pecuniary compensation, who may and who shall, under the authority of the President, have the duty of the Interior over the disbursement of the appropriations made by this act or any part thereof that the President may designate; and to pay the necessary expenses of transportation, subsistence, and clerk hire of said commissioners while actually engaged in said service there is hereby appropriated, out of any money in the treasury not otherwise appropriated, the sum of twenty-five thousand dollars, or so much thereof as may be necessary.

SEC. 5. *And be it further enacted*, That nothing in this act contained, or in any of the provisions thereof, shall be so construed as to ratify or approve any treaty made with any tribes, bands, or parties of Indians since the twentieth day of July, eighteen hundred and sixty-seven.

SEC. 6. *And be it further enacted*, That the appropriation of one hundred and seventeen thousand dollars made to the State of Minnesota, July second, eighteen hundred and sixty-four, to supply a deficiency in the appropriation of March third, eighteen hundred and sixty-three, for the costs, charges, and expenses properly incurred by said State in suppressing Indian hostilities in the year eighteen hundred and sixty-two, be and the same is hereby, extended to embrace such expenditures incurred in the year eighteen hundred and sixty-three, to amount of twelve thousand four hundred and eight dollars and four cents: *Provided*, That only so much of such expenses shall be paid the State of Minnesota as shall be allowed by the proper accounting officers under the twenty-second section of the act approved March third, eighteen hundred and sixty-three, entitled "An act making appropriations for sundry civil expenses of the government for the year ending June thirtieth, eighteen hundred and sixty-four, and for the year ending June thirtieth, eighteen hundred and sixty-three, and for other purposes."

Approved, April 10, 1869.

AN ACT authorizing the submission of the constitution of Virginia, Mississippi, and Texas, to a vote of the people, and authorizing the election of State officers, provided by said constitutions, and members of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, at such times as he may deem best for the public interest, may submit the constitution which was framed by the convention which met in Richmond, Virginia, on Tuesday, the third day of December, one thousand eight hundred and sixty-seven, to the voters of said State, registered at the date of said submission, for ratification or rejection;

and may also submit to a separate vote such provisions of said constitution as he may deem best, such vote to be taken either upon each of the said provisions alone, or in connection with the other portions of said constitution, as the President may direct.

SEC. 2. *And be it further enacted*, That at the same election the voters of said State may vote for and elect members of the general assembly of said State, and all the officers of said State provided for by the said constitution, and members of Congress; and the officer commanding the district of Virginia shall cause the lists of registered voters of said State to be revised, enlarged, and corrected prior to such election, according to law, and for that purpose may appoint such registrars as he may deem necessary. And said election shall be held and returns thereof made in the manner provided by the acts of Congress commonly called the reconstruction acts.

SEC. 3. *And be it further enacted*, That the President of the United States may in like manner submit the constitution of Texas to the voters of said State at such times and in such manner as he may direct; either the entire constitution, or separate vote; provisions of the same, as provided in the first section of this act, to a separate vote; and at the same election the voters vote for and elect the members of the legislature and all the State officers provided for in said constitution, and members of Congress: *Provided also*, That no election shall be held in said State of Texas for any purpose until the President so directs.

SEC. 4. *AND BE IT FURTHER ENACTED*, That the President of the United States may in like manner resubmit the constitution of Mississippi to the voters of said State at such time and in such manner as he may direct, either the entire constitution or separate provisions of the same, as provided in the first section of this act, to a separate vote; and at the same election the voters may vote for and elect the members of the legislature and all the State officers provided for in said constitution, and members of Congress.

SEC. 5. *AND BE IT FURTHER ENACTED*, That if either of said constitutions, shall be ratified at such election, the legislature of the State so ratifying elected as provided for in this act, shall assemble at the capital of said State on the fourth Tuesday after the official promulgation of such ratification by the military officer

before the States of Virginia, Mississippi, and Texas shall be admitted to representation in Congress, their several legislatures, which may be hereafter lawfully organized, shall ratify the fifteenth article, which has been proposed by Congress to the several States as an amendment to the Constitution of the United States.

SEC. 7. *AND BE IT FURTHER ENACTED*, That the proceedings in any of said States shall not be deemed final or operate as a complete restoration thereof until their action, respectively, shall be approved by Congress.

Approved, April 10, 1869

A RESOLUTION making San Diego, California, a port of delivery.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That San Diego, California, be, and is hereby, created a port of Delivery in the Customs collection district of San Francisco, and that the deputy collector of that port receive the same salary as other deputy collectors of the district.

Approved, April 10, 1869.

A Resolution enabling bona fide settlers to purchase certain lands acquired from the Great and Little Osage tribe of Indians.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That any bona fide settler residing upon any portion of the lands sold to the United States, by virtue of the first and second articles of the treaty concluded between the United States and the Great and Little Osage tribe of Indians, September twenty-ninth, eighteen hundred and sixty-five, and proclaimed January twenty-first, eighteen hundred and sixty-seven, who is a citizen of the United States, or shall have declared his intention to become a citizen of the United States, shall be, and hereby is entitled to purchase the same in quantity not exceeding one hundred and sixty acres, at the price of one dollar and twenty-five cents per acre, within two years from the passage of this act under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided, However*, That both the odd and even numbered sections of said lands shall be subject to settlement and sale as above provided: *And provided further*, That the sixteenth and thirty-sixth sections in each township of said lands shall be reserved for State school purposes in accordance with the provisions of the act of admission of the State of Kansas: *Provided, However*, That nothing in this act shall be construed in any manner affecting any legal rights heretofore vested in any other party or parties.

Approved, April 10, 1869.